

PUNJAB STATE INFORMATION COMMISSION

Red Cross Building, Near Rose Garden,
Sector 16, Chandigarh.

Ph: 0172-2864101, Fax 0172 2864110 Helpline 01722864100

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Sh. Baldev Singh S/o Sh. Parkash Singh,
R/o Village Malikpur,
Tehsil & Distt SBS Nagar.
M : 6284578545

....Complainant

Vs

Public Information Officer,
O/o District Development and Panchayats Officer,
SBS Nagar.

....Respondents

Complaint Case No.668 of 2020

(Video Conference/Cisco Webex/Phone proceedings)

Present:- None on behalf of the respondents.

Sh. Kewal Singh, Supdt o/o Block Development and Panchayats Officer, SBS
Nagar on behalf of the respondents.

ORDER

The RTI application is dated 20.12.2019 vide which the complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 17.9.2020 under Section 18 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. A request has been received from the complainant that the case be adjourned. However, the representative of the respondents states that the reply has already been sent to the complainant on 6.8.2020 mentioning that no such record regarding assessment report with respect to illegal mining done by the Sarpanch is available in the office.

3. Accordingly, the respondent-Public Information Officer is directed to place on record the copy of the said letter/undertaking and also send the same to the complainant before the next date of hearing. The complainant is advised to go through the same on its receipt and file the rejoinder, if any.

4. To come up on 15.1.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, SBS Nagar/Cisco Webex.

sd/

Dated: 1.12.2020

(Suresh Arora)

Chief Information Commissioner,
Punjab

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Sh. Gurbachan Singh s/o Sh. Inder Singh 9988308363
r/o Village Ruri Wala,
Tehsil & District TaranTaran.

....Appellant

Vs

Sh. Tejinder Kumar, Public Information Officer Registered
Block Development and Panchayats Officer,
Naushehra Pannua,
District TaranTaran

First Appellate Authority
o/o District Development and Panchayats Officer,
-cum-Collector of Panchayat Lands,
Mini Secretariat,
TaranTaran.

Public Information Officer
o/o the Director,
Rural Development and Panchayat Punjab,
Vikas Bhawan Sector 62,
Mohali.

Sh. Lal Singh, (Registered)
Block Development and Panchayats Officer
Block Valtaha
District Tarantaran

....Respondents

Appeal Case No. 1465 of 2020
(Video Conference Proceedings)

Present:- None on behalf of the appellant.
Sh. Tejinder Kumar, 8360893625 Block Development and Panchayats Officer,
on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 4.11.2020.

2. The representative of the respondents requests for the adjournment of the case and assures that the compensation amounting to Rs.5000/- (five thousand only) will be paid to the appellant before the next date of hearing.

3. According to the assurance given by the respondent-Public Information Officer, the case is adjourned with the directions to pay the compensation amount to the appellant before the next date of hearing under intimation to the Commission.

4. To come up on 10.12.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, Taran Taran/Cisco webex.

sd/

Dated: 1.12.2020

(Suresh Arora)
Chief Information Commissioner,
Punjab.

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Sh. Amrik Singh
Block J 26/100
BRS Nagar,
District Ludhiana 141012 9876800860 9914268666

..Complainant

Vs

Public Information Officer
o/o Deputy Commissioner
District Ludhiana

Tehsildar (By name) Registered
Samrala,
District Ludhiana

....Respondent

Complaint Case No. 677 of 2020

(Video conference/Cisco Webex/Phone proceedings)

Present:- Sh. Amrik Singh, complainant.
Sh. Paramjit Singh o/o SDM (West) District Ludhiana on behalf of the respondents.

ORDER

The RTI application is dated 18.6.2020 vide which the complainant has sought information as enumerated in his RTI application. Complaint was filed in the Commission on 18.9.2020 under Section 18 of the Right to Information Act, 2005 (hereinafter called RTI Act). Notice of hearing was issued to the parties for today.

2. The representative of the respondents states that the information has been sent to the complainant vide letter dated 27.11.2020 copy of which has been sent to the Commission, which is taken on record. However, the complainant states that he has received the response from the respondent mentioning that the information concerning Point No. 1 of the RTI application is available on the eGazette Website but no link has been provided. So he requests to provide the same. Regarding Point No. 2 he also expresses his dissatisfaction over the reply of the respondents and states that only the front page of the bank account has been supplied and requests for the remaining information i.e. the bank details of beneficiaries. With regard to Point No. 3 of the RTI application the complainant requests to implead the Tehsildar Samrala to provide the information. Thereafter, the representative of the respondents states that information pertaining to point No.2 relates to the 3rd party so the same has been denied being 1000 beneficiaries are connected with the same.

3. The similar issue has also been elaborated by the Supreme Court of India in the matter of Central Board of Secondary Education &Anr. Vs. AdityaBandopadhyay&Ors (Civil Appeal No.6454 of 2011) reported as 2011(3)RCT(Civil) as follows:-

"The RTI Act should not be allowed to be misused or abused, to become a tool to obstruct the national development and integration, or to destroy the peace, tranquillity and harmony among its citizens- Nor should it be converted into a tool of oppression or intimidation of honest officials striving to do their duty-National does

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Complaint Case No. 677 of 2020

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not want a scenario where 75% of the staff of public authorities spends 75% of their time in collection and furnishing information to applicants instead of discharging their regular duties----Indiscriminate and impractical demands or directions under RTI Act for disclosure of all the sundry information (unrelated to transparency and accountability in the functioning of public authorities and eradication of corruption) would be counter-productive as it will adversely affect the efficiency of the administration and result in the executive getting bogged down with the non-productive work of collecting and furnishing information”.

3. After hearing both the parties, the respondent-Public Information Officer is directed to provide the specific link of the website to the appellant concerning Point No. 1 of the RTI application. Regarding Point No.2 of the RTI application, the plea taken by the representative of the respondents is accepted and regarding Point No. 3 of the RTI application, the Public Information Officer o/o the Tehsildar Samrala, District Ludhiana is impleaded as necessary party in this case to file the reply/supply the information. A copy of the RTI application is **sent** with this order.

4. To come up on 15.1.2021 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Ludhiana/Cisco Webex.

sd/

Dated: 1.12.2020

(Suresh Arora)

Chief Information Commissioner,
Punjab.

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Sh. Jasbir Singh 9888296107
Village Bholapur, Jhabewal,
P.O. Ramgarh,
District Ludhiana

....Appellant

Vs

Public Information Officer
o/o Deputy Commissioner,
District Ludhiana.

First Appellate Authority
o/o Deputy Commissioner,
District Ludhiana.

Public Information Officer-cum-
Assistant Registrar
o/o the Chandigarh University,
Gharuan,
Chandigarh Ludhiana Highway,
District Ludhiana

Registered

....Respondents

Appeal Case No. 2529 of 2020

(Video Conference/Cisco Webex/Phone Proceedings)

Present:- None on behalf of the parties.

ORDER

This order may be read with reference to the previous order dated 30.12.2020.

2. A response has been received from the Public Information Officer o/o Chandigarh University which has been diarized in the Commission bearing No. 16799 dated 23.11.2020, which is taken on record.

3. Since, the appellant is absent without intimation, the response received from the Public Information Officer is **sent** with this order to file the rejoinder, if any, before the next date of hearing.

4. To come up on 22.12.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Ludhiana/Cisco webex.

sd/

Dated: 1.12.2020

(Suresh Arora)

Chief Information Commissioner,
Punjab.

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Sh. Inderpal Singh 9914708880
20, Block B, Ahloowalia Colony,
Jamalpur, District Ludhiana

....Appellant

Vs

Public Information Officer
o/o Deputy Commissioner,
District Ludhiana.

First Appellate Authority
o/o Deputy Commissioner,
District Ludhiana.

....Respondents

Appeal Case No. 2602 of 2020

(Video Conference/cisco webex/phone Proceedings)

Present:- None on behalf of the appellant.
Sh. Shiv Kumar 9023336480 on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 20.11.2020.

2. A response has been received from the respondent-Public Information Officer through email, which is taken on record. The representative of the respondents also states that the appellant is seeking the action taken on the complaint filed by him but the same is pending and no inquiry has been finalized by any authority and shows his inability to provide the information.

3. Since, the appellant is absent, the response received from the respondent-Public Information Officer is **sent** with this order to file the rejoinder, if any, before the next date of hearing to the respondent-Public Information Officer with a copy to the Commission.

4. To come up on 22.12.2020 at 12.30 PM to be heard through Video Conference Facility available in the office of the Deputy Commissioner, District Ludhiana/cisco webex.

sd/

Dated: 1.12.2020

(Suresh Arora)

Chief Information Commissioner,
Punjab.

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Sh. Bikramjit Singh Chhachhi,
120 B 1, Nagra House,
T.B. Hospital Road,
Patiala 147001 – 9463940586

....Appellant

Vs

Public Information Officer
Secretary to Govt. of Punjab,
Deptt of Personnel
Pb. Civil Sectt.-1, Chandigarh.

Shri Sanjay Goswami, Superintendent
Public Information Officer,
General Administration Department,
Administration-1 Branch,
6th Floor, Punjab Civil Secretariat-1,
Chandigarh.

Regd

Public Information Officer,
o/o Additional Chief Secretary, Govt. of Punjab,
Department of Home Affairs & Justice,
Pb. Civil Secretariat-1,
Chandigarh.

Regd

First Appellate Authority
o/o Secretary,
Personnel Deptt., Pb.
Punjab Civil Sectt.-1,
Chandigarh.

Regd

Public Information Officer
o/o the Principal Secretary to Govt. of Punjab,
Deptt. of Finance,
(Finance Personnel 1 Branch),
Punjab Civil Secretariat-1,
Chandigarh.

..Respondents

Appeal Case No. 2478 of 2020 & Appeal Case No. 2479 of 2020
Present: Shri Bikramjit Singh Chhachhi, appellant at Chandigarh.
Smt. Rajwinder Kaur Superintendent cum Public Information Officer M 9914400197 and
Shri Vaneet Goyal, Senior Assistant M 9878061500.-PP-1 Branch and Sh Jaswinder Singh
Senior Assistant M 8591655999 (PP 2 Co-ordination Branch) and Sh. Ranjit Singh Sr.
Asstt. FPPC Branch, 7658841975 on behalf of the respondents.

ORDER

This order may be read with reference to the previous order dated 28.10.2020 vide

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Appeal Case No. 2478 of 2020 & Appeal Case No. 2479 of 2020

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which the appellant and the respondents-Public Information Officers, PP1 and PP2 Branch were directed to remain present in person on the next date of hearing and the case was adjourned to 1.12.2020.

2. After the perusal of the case files of the above said cases, it has transpired that the sought information and both the parties remained the same. Therefore, the above titled cases are clubbed.

3. The appellant clarifies regarding the four points information sought as per his RTI application from the different departments. Information pertaining to **point no. 1, 3 and 4 relates to the Department of Home Affairs and Justice, Government of Punjab, Chandigarh** and information sought at **point No.2 relates to the Personnel Department, Government of Punjab**. He further states that the letter bearing ID No. 5/23/99-FP1/939 dated 30.6.1999 (which is already in the case file) issued by the Department of Finance (Finance Personnel-1 Branch), Government of Punjab in which the Department of Personnel has been advised to take the action in terms of provisions contained in circular 7/37/98-510/12581 dated 25.9.98 regarding pay fixation and proficiency step up to Smt. Vijay Laxmi, Senior Assistant. He further states that he wants to inspect the concerned file and needs the attested copy of the documents after identification.

4. The respondent-Public Information Officer o/o the Principal Secretary, Finance, Pension Policy and Coordination branch states that the RTI application of the appellant has already been transferred to the Superintendent Finance Personnel 1 Branch under Section 6(3) of the RTI Act, 2005 vide letter No. 902 dated 19.11.2020.

5. The Public Information Officer o/o the Personnel Department, PP1 Branch submits her response on the letter dated 30.6.1999 which is reproduced as follows:-

“ਉਕਤ ਸੰਬੰਧੀ ਦੱਸਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਪੰਜਾਬ ਸਿਵਲ ਸਕੱਤਰੇਤ ਦੇ ਸੀਨੀਅਰ ਸਹਾਇਕ ਦੇ ਅਮਲੇ ਦੇ ਮਾਮਲੇ ਆਮ ਰਾਜ ਪ੍ਰਬੰਧ ਵਿਭਾਗ (ਅਮਲਾ ਸ਼ਾਖਾ) ਵਿਚ ਵਿਚਾਰੇ ਜਾਂਦੇ ਹਨ। ਉਕਤ ਪੱਤਰ ਤੋਂ ਜਾਪਦਾ ਹੈ ਕਿ ਵਿਜੇ ਲਕਸ਼ਮੀ, ਸੀਨੀਅਰ ਸਹਾਇਕ ਦੇ ਪੇਅ ਫਿਕਸੇਸ਼ਨ ਦੇ ਮਾਮਲੇ ਵਿੱਚ ਵਿੱਤ ਪ੍ਰਸੋਨਲ -1 ਸ਼ਾਖਾ ਵਲੋਂ ਪ੍ਰਸੋਨਲ ਪਾਲਸੀ- 1 ਸ਼ਾਖਾ ਨੂੰ ਸਲਾਹ ਭੇਜੀ ਗਈ ਹੈ। ਇਹ ਸਲਾਹ ਪ੍ਰਸੋਨਲ ਵਿਭਾਗ ਵੱਲੋਂ ਆਪਣੇ ਪੱਧਰ ਤੇ ਮੰਗੀ ਗਈ ਜਾ ਆਮ ਰਾਜ ਵਿਭਾਗ ਵੱਲੋਂ ਪ੍ਰਸੋਨਲ ਵਿਭਾਗ ਨੂੰ ਪਹੁੰਚ ਕੀਤੀ ਗਈ ਸੀ, ਸੰਬੰਧੀ ਸੰਬਧਤ ਰਿਕਾਰਡ ਦੇਖਿਆ ਜਾਣਾ ਹੈ।”

The respondent Public Information Officer further states that the record is very old so he requests for the adjournment of the case to trace the file. In addition he also requests that General Administration Department/Finance Department may be impleaded as necessary party in this case to take the matter to its logical end.

3. After hearing both the parties, the Public Information Officer o/o the Additional Chief Secretary, Department of Home Affairs & Justice, Government of Punjab, Chandigarh, Public Information Officer o/o the Principal Secretary to Govt. of Punjab, Deptt. of General Administration (Establishment 1 Branch), Government of Punjab and Public Information Officer o/o the Principal Secretary Finance (Finance Personnel 1 Branch) are impleaded as necessary parties in this case. They are directed to file the reply/supply the information as has been enumerated in Para-3 above viz a viz RTI application, which is **sent** with the order, before the next date of hearing.

4. To come up on 17.1.2021 at 12.30 P.M. to be heard through video conference facility provided in the office of the Deputy Commissioner, Patiala/Cisco Webex.

Dated 1.12.2020

sd/
(Suresh Arora)
Chief Information Commissioner,
Punjab